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To: 'microsoft.atr(a)usdoj.gov'
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Subject: Microsoft Settlement

I don't feel the proposed settlement is adequate. From what I understand, the following problems are not being addressed:

1. It is well known Microsoft has intentionally "broken" their software so it wouldn't interoperate with competitors products. I don't see anything in the settlement that would prevent this from happening in the future.
2. Their end user license agreement (EULA) for some of their products states the product is only licensed for specific operating systems (all Microsoft). Applications exist to be able to run windows applications on other operating systems, but this would be illegal do to the terms of the license. If microsoft refuses to support the application on a different os that's one thing; letting them make it illegal to run it on a different operating system is clearly unacceptable.
3. The settlement doesn't go far enough in opening up API's. Not all API's need to be documented, and it doesn't even mention file systems. This kind of ties back to my first point above.
4. Not enough has been specified to prevent Microsoft from punishing vendors who offer alternatives. They would have to specify prices for the top 20 OEM's, which helps, but leaves smaller companies vulnerable. Wouldn't it be better to specify prices by volume? If you buy so many licenses, it costs X amount of dollars...

Please consider these issues before considering this settlement final.

Jeff Coburn